

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

JUSTIN DUFOE

Plaintiff(s)

v.

Civil Action No **23-10524-DJC**

DRAFTKINGS INC., ET AL

Defendant(s)

NOTICE OF SCHEDULING CONFERENCE

An initial scheduling conference will be held in Courtroom 11 on the 5<sup>th</sup> floor (by video conference) on **July 29, 2024 at 10:30AM**, in accordance with Fed. R. Civ. P. 16(b) and Local Rules (LR) 16.1 (as modified by this Order) and 16.6 (for patent cases). Counsel may be given a continuance only if actually engaged on trial. The court considers compliance with sections (B), (C), and (D) of LR 16.1 (as modified by this Order) and LR 16.6 for patent cases to be of the utmost importance. Failure to comply fully with this notice and with sections (B), (C), and (D) of LR 16.1 (as modified by this Order) and section (A) of LR 16.6 for patent cases may result in sanctions under LR 1.3. Counsel for the plaintiff is responsible for ensuring that all parties and/or their attorneys, who have not filed an answer or appearance with the court, are notified of the scheduling conference date.

The parties shall comply with the requirements of LR 16.1 (B), (C), and (D) except as modified below:

1. Obligation of counsel to confer. Counsel for the parties shall comply with LR 16.1 (B) except that Counsel need not prepare an agenda of matters to be discussed at the scheduling conference unless:
  - a. Counsel agree that there are matters not otherwise addressed under LR 16.1 that the court should address at the scheduling conference; or
  - b. Counsel are specifically directed to prepare such agenda by the court.
2. Settlement Proposals. The parties shall comply with LR 16.1(C).
3. Joint Statement. The parties shall comply with LR 16.1(D), but their joint statement shall also include a concise summary of the position of the plaintiff(s) and defendant(s) regarding both liability and relief sought.

If one party does not cooperate with the other party or parties in preparing a joint statement as required by the local rules and this Order, the other party or parties shall file a separate statement containing the information required by LR 16.1(D) (as modified by this Order), the identity of the party not cooperating in the preparation of the joint statement and the efforts undertaken to obtain that cooperation.

Denise J. Casper  
United States District Judge

July 9, 2024  
Date

By: /s/ Lisa M. Hourihan  
Deputy Clerk